

Caboose Discussion Discussed. Caboose Not Discussed.

24 Aug 1988

Although the subject of the little red caboose on Main Street was added to last week's agenda for discussion by the Heber City Council, Mayor Gordon Mendenhall refused to allow any discussion about it.

He said he has personally prepared, typed and approved all the agendas since he became mayor, one and one half years ago, and that they are reviewed by City Recorder Eleanor Nelsen and Deputy Recorder Shauna Brereton.

"When the time comes, if there are any changes, Eleanor says, 'I need to add this, or I need to add that,' and we agree upon it...I kind of resent people coming in and putting stuff on the agenda without my permission. I have no time to prepare to discuss them. I have no

background information. Furthermore, it came in after the publication date of the agenda," Mayor Mendenhall said.

The caboose, used as an information center by the Heber Valley Chamber of Commerce, has been the subject of controversy for several months, dividing both the council and their constituents. Mayor Mendenhall has made it clear he wants the car removed from Tabernacle Square, where it has stood for more than a decade, calling it an "eyesore" and saying it detracts from the new city municipal building. The Chamber has defended leaving it on the premises as an important promotion for local businesses, particularly for tourist

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Over →

Caboose...

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information and representing the

Heber Creeper.

In a July meeting, the city

council voted three to two against

giving the Chamber 14 days to

move the caboose or charging the

Chamber for the city to move it.

However, on August 10th, the

Chamber and other interested parties

were notified by the city attorney

that it must be moved within 14

days or they would be guilty of un-

lawful detainer and liable for treble

damages.

Mayor Mendenhall discarded the

agenda that included the caboose and

that had been distributed for last

Thursday's meeting. Then he had

copies made of an agenda that

omitted the caboose and said coun-

cil would use it instead.

"Unless things get in so that I

can take a look at them, and ap-

prove them before we publish (the

agenda) I won't do it."

The mayor then recognized the

Waver reporter, who said that as she

understood the law, items were al-

lowed to be added to an agenda up

until 24 hours before they were to

be discussed, as long as the changes

were publicly posted in the city

building. The law also allows lim-

ited informal discussions of certain

non-agenda items, as long as no

decisions are made and no action is

taken.

"I'll go along with the changes,

but I want to know about them,"

the mayor said. "If somebody wants

something on there, they have the

responsibility to come and tell me.

"Phooey! 95 percent of the stuff

that's on that agenda, the council

doesn't have time to prepare for,

because we don't know what it is."

He said he didn't know if the

mayor was within his legal rights

to give the Chamber 14 days notice

council had specifically voted

against a motion to that effect. He

said Jim Smedley, the city attorney,

pointed out the mayor is the

administrative officer.

"I said, 'Yeah, that's fine. But

there's not been one word about the

caboose brought back to the city

council. It looks to me like he's

sticking his neck out..."

"I'd like to go up to the guy and

ask, 'What country do we live in?

Russia or America?'" Councilman

Wright said.

The paperwork in his department

now three months behind, and

ations from the U.S. Department

Wildlife and State Parks and

creation are not being done at all.

said because the paperwork can't

completed, warrants aren't is-

d, and justice isn't served. In ad-

dition, he pointed out, there is a lot

revenue from fines that isn't be-

collected.

Then, he stopped her, apologiz-

ing, and referred to the discussion

that had just taken place. He said he

knew that if he allowed her to

ask, Mr. Mawhinney would again

asked her to get on the agenda for

the cases, people would gaily and

need to make payments on their

es, but fail to follow through.

agreed.

couldn't, to which the mayor later

Councilman Jacobson said,

"Those are the ground rules...if

that's the way you want to play the

game...I've seen things that were

discussed, that weren't on agendas,

and you've said, 'Well, that's okay,

I'll let you discuss it.' Then, the

next time, you won't let us discuss

things that weren't on the agenda."

He said Mr. Mawhinney had told

him that Mayor Mendenhall had

said he could support moving the

caboose to the city park. At least

four of the councilmen knew about

the possibility, and that the issue

needed to be discussed, he said. So,

on Tuesday evening, two days be-

fore the council meeting, he said he

added the caboose to the agenda

posted at the city municipal build-

ing.

He said that as far as he knew,

no policy has ever been adopted by

the city that would prevent him

from adding to the agenda without

permission from the mayor.

"When I heard about the meeting

I was infuriated, to think one per-

son could arbitrarily take something

off an agenda like that, because he

didn't authorize it. I couldn't believe

that," he said.

Commenting on Mayor

Mendenhall's statement that he

needed time to prepare for agenda

items, Councilman Wright said,

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